

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

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| Applicant's or agent's file reference 059PCT 0165 | FOR FURTHER ACTION | See Form PCT/IPEA/416 |
| International application No. PCT/EP2005/001214 | International filing date (<i>day/month/year</i>) 07.02.2005 | Priority date (<i>day/month/year</i>) 01.03.2004 |
| International Patent Classification (IPC) or national classification and IPC A47L7/04, A47L9/10, A47L9/12, A47L9/14, B01J20/18, B01J20/20, B01J20/26, B01J20/32 | | |
| Applicant EUROFILTERS N.V. | | |

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| 1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. |
| 2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet. |
| 3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>10</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). |
| 4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application |

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| Date of submission of the demand | Date of completion of this report |
| Name and mailing address of the IPEA/EP | Authorized officer |
| Facsimile No. | Telephone No. |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2005/001214

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-22 as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-63 as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/5-5/5 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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| Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | | |
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| 1. Statement | | | |
| Novelty (N) | Claims | <u>1-57</u> | YES |
| | Claims | | NO |
| Inventive step (IS) | Claims | <u>1-57</u> | YES |
| | Claims | | NO |
| Industrial applicability (IA) | Claims | <u>1-57</u> | YES |
| | Claims | | NO |
| 2. Citations and explanations (Rule 70.7) | | | |
| <p>1. Reference is made to the following document:</p> <p>D1: WO 01/08543 A1</p> | | | |
| <p>2. Document D1 is considered to be the closest prior art to the subject matter of claims 1 and 52. It discloses (the references between parentheses relate to said document) a dust-collection filter (and a corresponding method) according to the preamble of claim 1.</p> | | | |
| <p>3. The subject matter of claim 1 therefore differs from the dust-collection filter known from D1 in that the adsorbent comprises fibres, flakes and/or granules as the carrier material onto the surface of which a pulverulent adsorption material is applied (characterizing part of claim 1).</p> <p>The subject matter of claims 1 and 52 is therefore novel (PCT Article 33(2)).</p> | | | |
| <p>4. The problem addressed by the present invention can therefore be considered that of reducing odours from dust deposited in dust-collection chambers in an improved manner compared to the known prior art</p> | | | |

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International application No.

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| Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
|-----------|--|
| | <p>(D1) .</p> <p>The solution to this problem which is proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)): in D1, the odour-binding means is in the form of particles such as fibres. The prior art does not contain any suggestion which would cause a person skilled in the art to develop the filter known from D1 and provide it with particles according to the invention.</p> <p>5. Dependent claims 2-51 and 53-57 are dependent on claim 1 (and, respectively, 52) and therefore likewise meet the PCT requirements for novelty and inventive step.</p> |

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

6. The phrase "module" in claim 11 is vague and unclear and leaves the reader uncertain as to the meaning of the technical feature in question. As a result, the subject matter of said claim is not clearly defined (PCT Article 6). The definition of this phrase can be found in the description, wherein it is the ratio of SiO_2 to Al_2O_3 . This information should therefore be included in claim 11.